

2875



Practitioner's Docket No. 944-003.122

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: J. Nousiainen

Application No.: 09/994,470

Group No.: 2875

Filed: November 26, 2001

Examiner: Bao Q. Truong

For: **ILLUMINATION SYSTEM FOR AN ELECTRONIC DEVICE**

Commissioner for Patents
Box AMENDMENT - NO FEE
Washington, DC 20231

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is

☐ a small entity. A statement:

☐ is attached.

☐ was already filed.

☒ other than a small entity.

RECEIVED
MAY - 1 2003
TECHNOLOGY CENTER 2800

CERTIFICATE OF MAILING/TRANSMISSION UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☒ deposited with the United States Postal Service with sufficient postage as first-class mail, in an envelope addressed to the Commissioner for Patents, Washington, DC 20231.

FACSIMILE

☐ transmitted by facsimile to the U.S. Patent and Trademark Office.

Signature

Cathy Wilcox

(type or print name of person certifying)

Date: 4.24.03

EXTENSION OF TERM

NOTE: "Extension of Time in Patent Cases (Supplement Amendments) - If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 C.F.R. §1.645 for extensions of time in interference proceedings, and 37 C.F.R. §1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136 apply.

(complete (a) or (b), as applicable)

- (a) ☐ Applicant petitions for an extension of time under 37 C.F.R. §1.136 (fees: 37 C.F.R. §1.17(a)(1)-(4)) for the total number of months checked below:

| <u>Extension (months)</u> | <u>Fee for other than small entity</u> | <u>Fee for small entity</u> |
|---------------------------------------|--|---------------------------------|
| <input type="checkbox"/> one month | \$ 110.00 | \$ 55.00 |
| <input type="checkbox"/> two months | \$ 400.00 | \$200.00 |
| <input type="checkbox"/> three months | \$ 920.00 | \$460.00 |
| <input type="checkbox"/> four months | \$1,440.00 | \$720.00 |

Fee: \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured. The fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. §1.16(b)-(d)) has been calculated as shown below:

| (Col. 1) | (Col. 2) | (Col. 3) | SMALL ENTITY | | | OTHER THAN A SMALL ENTITY | |
|--|---------------------------------------|------------------|----------------|-----------------------|----|------------------------------|---------|
| CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA | ADDIT. RATE | FEE | OR | ADDIT. RATE | FEE |
| TOTAL: 17 | MINUS 38 | = 0 | x \$9 = | \$ | | x \$18 = | \$0 |
| INDEP: 3 | MINUS 3 | = 0 | x \$42 = | \$ | | x \$84 = | \$0 |
| <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | + \$140 = \$ | | + \$280 = \$ | |
| | | | | TOTAL ADDL. FEE | \$ | TOTAL ADDL. FEE | \$ 0.00 |

WARNING: "After final rejection or action (§1.113) amendments may be made cancelling claims or complying with any requirement of form which has been made." 37 C.F.R. §1.116(a) (emphasis added).

(complete (c) or (d), as applicable)

(c) ☒ No additional fee for claims is required.

OR

(d) ☐ Total additional fee for claims required is \$_____.

FEE PAYMENT

5. ☐ Attached is a check in the sum of \$_____.

☐ Charge Account No. _____ the sum of \$_____. A duplicate of this transmittal is attached.

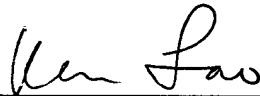
FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986 (1065 O.G. 31-33).

6. ☒ If any additional extension and/or fee is required, charge Account No. 23-0442

AND/OR

- ☒ If any additional fee for claims is required, charge Account No. 23-0442 .



Signature of Practitioner

Reg. No.: 40,061

Kenneth Q. Lao

Ware, Fressola, Van Der Sluys & Adolphson LLP

Telephone No.: (203) 261-1234

Bradford Green, Building Five

755 Main Street, P.O. Box 224

Customer No.: 004955

Monroe, CT 06468



#6 election
1/20/03
5/2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of: **Nousiainen** : Examiner: **Bao Q. Truong**

Serial No.: **09/994,470** : Art Unit: **2875**

Filed: **November 26, 2001**

For: **ILLUMINATION SYSTEM FOR AN ELECTRONIC DEVICE**

U.S. Patent and Trademark Office
Box AMENDMENT – NO FEE
Commissioner for Patents
Washington, DC 20231

RESPONSE TO NON-FINAL OFFICE ACTION

Sir:

This responses to the Non-Final Office Action, mailed March 24, 2003.

In the patent application, claims 1-38 are pending. In the Office Action, the Examiner requires that only claims pertaining to one of the species are elected for examination.

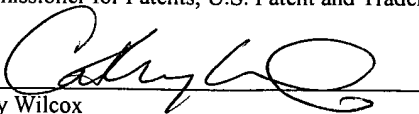
The Examiner states that the application contains claims directed to a number of patentably distinct species of the claimed invention:

Species I: Figures 2-6;
Species II: Figures 7A,B-10;
Species III: Figures 11A,B - 12; and
Species IV: Figure 14.

The Examiner also states that currently no claim is generic to all the species.

Although applicant disagrees with the Examiner in the classification of the claimed invention into four different species, application provisionally elects claims readable on **Species I** for examination purposes. Applicant believes that claims 1, 5-12, 14, 19-21, 30, 34-36 are readable on Species I.

I hereby certify that this correspondence is being deposited today, April 24, 2003, with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Box Amendment – No Fee, Commissioner for Patents, U.S. Patent and Trademark Office, Washington DC 20231.


Cathy Wilcox

It is respectfully submitted that claims 1, 14 and 30 are independent claims readable on Species I in that:

claim 1 claims an illumination system for use in a device, comprising a light source and a light conduit, as shown in Figure 3;

claim 14 claims a light conduit for use in a device having a display and a light source, as shown in Figures 1, 2 and 3; and

claim 30 claims a portable device comprising a display, a light source and a light conduit, as shown in Figures 1, 2 and 3.

As for the dependent claims:

claims 5-9 are dependent from claim 1 and recite the features regarding the light source as shown in Figures 3 and 4;

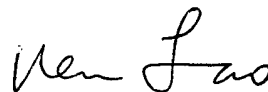
claims 19-21 are dependent from claim 14 and recite the features of the two boundaries (62,64), as shown in Figure 4; and

claims 34-36 are dependent from claim 30 and specify what the portable device is.

It is respectfully submitted that the drawings for species III illustrate an alternative embodiment of the invention as illustrated in species I in that the light source is located at a different end of the light conduit. Furthermore, Figure 14 (Species IV) uses the same conduit to transmit data streams. Therefore, claims 37 and 38 technically should be readable on Species I.

Nevertheless, applicant provisionally withdraws claims 2-4, 13, 15-18, 22-29, 31-33, 37 and 38 from consideration. Should claims 1, 14 and 30 be allowable, applicant is entitled to resubmit the withdrawn claims in dependent form for further examination.

Respectfully submitted,



Kenneth Q. Lao
Attorney for the Applicant
Registration No. 40,061

WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON LLP
Bradford Green, Building Five
755 Main Street, P.O. Box 224
Monroe, CT 06468
Telephone: (203) 261-1234
Facsimile: (203) 261-5676
USPTO Customer No. 004955